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Attorneys for WAYMO LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JAMES JUDAH IN
SUPPORT OF DEFENDANTS UBER
TECHNOLOGIES, INC.'S AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF THEIR
BRIEF IN RESPONSE TO WAYMO'S
MEMORANDUM REGARDING
ADVERSE INFERENCES TO BE DRAWN
FROM ANTHONY LEVANDOWSKI'S
ASSERTION OF THE FIFTH
AMENDMENT (DKT. 900)**

1 I, James Judah, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Defendants Uber Technologies, Inc.’s and
7 Ottomotto LLC’s Administrative Motion to File Under Seal Portions of Their Brief in Response to
8 Waymo’s Memorandum Regarding Adverse Inferences to Be Drawn from Anthony Levandowski’s
9 Assertion of the Fifth Amendment (Dkt. 900) (the “Administrative Motion”). The Administrative
10 Motion seeks an order sealing highlighted portions of Uber Technologies, Inc. and Ottomotto LLC
11 Brief in Response to Waymo’s Memorandum Regarding Adverse Inferences to Be Drawn from
12 Anthony Levandowski’s Assertion of the Fifth Amendment (“Uber’s Fifth Amendment Brief”) and
13 Exhibit A to the Declaration of Meredith Dearborn (“Exhibit A”).

14 3. The green highlighted portions outlined in red of Uber’s Fifth Amendment Brief and
15 Exhibit A (filed concurrently herewith) contain or reference confidential business information, which
16 Waymo seeks to seal.

17 4. Uber’s Fifth Amendment Brief and Exhibit A (green highlighted portions outlined in
18 red) contain, reference, and/or describe Waymo’s highly confidential and sensitive business
19 information. The information Waymo seeks to seal regards the confidential compensation information
20 for Waymo employees and confidential details regarding Waymo’s bonus program. I understand that
21 this confidential business information is maintained by Waymo as secret. The public disclosure of
22 this information would give Waymo’s competitors access to sensitive information that could be used
23 to Waymo’s disadvantage. If such information were made public, I understand that Waymo’s
24 competitive standing would be significantly harmed. .

25 5. Waymo’s request to seal is narrowly tailored to those portions of Uber’s Fifth
26 Amendment Brief and Exhibit A that merit sealing.

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1 I declare under penalty of perjury under the laws of the State of California and the United
2 States of America that the foregoing is true and correct, and that this declaration was executed in San
3 Francisco, California, on July 18, 2017.

4 By /s/ James Judah

5 James Judah

6 Attorneys for WAYMO LLC
7

8 **ATTESTATION**

9 In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
10 document has been obtained from James Judah.
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12 By: /s/ Charles K. Verhoeven

13 Charles K. Verhoeven
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